

### REMARKS

Entry of this amendment and reconsideration of the present application, as amended, are respectfully requested.

Claims 1-6, 8-17, 21, 22, 27-30, 51, 54-62, 64-66, 89, 91, 92 and 94-113 are pending in this application. Claims 7, 18, 31, 35-50, 52, 53, 63, 67-88, 90 and 93 are cancelled. Claims 19, 20, 23-26 and 32-34 are withdrawn from consideration in view of an earlier election of species requirement.

Claims 1, 21, 51 and 89 are amended herein. Unless an argument is made below in support of the patentability of each of these claims over a cited prior art reference in view of an amendment to the claim, the changes to the claims do not relate to patentability.

The changes to the claims do not raise new issues as they entail the inclusion of features of dependent claims into the independent claims. Specifically, claim 1 is amended to include the feature(s) of claim 18, claim 51 is amended to include the feature(s) of claim 63 and claim 89 is amended to include the feature(s) of claim 93. As the Examiner considered the subject matter of claims 18, 63 and 93, no new issues are raised and therefore entry of this amendment is appropriate.

#### Election/Restriction

In response to the Examiner's comments relating to the election of species requirement, claims 69 and 70 are cancelled without prejudice to filing a divisional application directed to the subject matter of these claims.

#### Claim Rejections-35 U.S.C. §103

Claims 89-92 and 95-107 were rejected under 35 U.S.C. §103(a) as being anticipated by Palalau et al. (U.S. Pat. No. 6,373,472). Claim 93 was rejected under 35 U.S.C. §103(a) as being unpatentable over Palalau et al. in view of Schiffman (U.S. Pat. No. 5,061,996). Claim 94 was rejected under 35 U.S.C. §103(a) as being unpatentable over Palalau et al. in view of Berstis et al. (U.S. Pat. No. 6,505,165). Claims 108-111 were rejected under 35 U.S.C. §103(a) as being unpatentable over Palalau et al. in view of Matsumoto (U.S. Pat. No. 5,734,357). Claims 112 and 113 were rejected under 35 U.S.C. §103(a) as being unpatentable over Palalau et al. in view of Matsui (U.S. Pat. No. 6,215,479).

The Examiner's rejections of claims 89-113 are respectfully traversed in view of an amendment to claim 89 to include the subject matter of claim 93. Claim 89 thus now recites that the forming means comprise two heads up displays, one arranged to project text and/or graphics into a field of view of a driver and the other arranged to project text and/or graphics into a field of view of the passenger.

Palalau et al., Berstis et al., Matsumoto and Matsui et al. do not disclose two heads up displays.

Schiffman et al. describes a heads up display in which a display device 50 displays images to be presented to a driver and a mirror 54 is arranged in the field of view of the driver to reflect the contents of the display device 50 toward the eyes of the driver. A second mirror 55 is arranged in the field of view of the passenger so that the passenger can also view the images being displayed on display device 50. Thus, the Schiffman et al. system includes a single display device and two mirrors 54, 55 both of which reflect the same images from the display device 50.

In contrast to the invention, Schiffman et al. does not disclose, teach or suggest providing separate display devices for the driver and passenger to enable them to view different images. Thus, Schiffman et al. does not disclose, teach or suggest two heads up displays, one arranged to project text and/or graphics into a field of view of a driver and the other arranged to project text and/or graphics into a field of view of the passenger since there is no "projection" of text and/or graphics into the field of view of both the driver and passenger.

Since the prior art does not disclose two heads up displays, one skilled in the art could not modify the Palalau et al. system in view of any of the cited prior art in order to arrive at the embodiment of the invention set forth in claim 89 or the embodiments set forth in claims 91, 92 and 94-113 which depend from claim 89.

Furthermore, it is pointed out though that the Examiner's rejection of claims 95 and 96 is untenable because the steering wheel shown in Palalau et al. includes portions which are not covered by the touch pad or touch screen 22, 32. Thus, a break in the steering wheel cover could be formed over these portions to enable an airbag to deploy from the steering wheel. It is therefore not "obvious" to construct the touch pad 22, 32 of Palalau et al. to break upon deployment and in fact, it would not even be considered since it is easier to form a break for airbag deployment in the portions of the steering wheel cover which are not covered by the touch pad 22, 32.

In view of the amendment to independent claim 89 and the arguments presented above, it is respectfully submitted that the Examiner's rejections of claims 89-113 have been overcome and should be removed.

Claims 1-4, 8-18, 21 and 71 were rejected under 35 U.S.C. §103(a) as being anticipated by Palalau et al. in view of Matsui et al. Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Palalau et al. in view of Matsui et al. and Schiffman. Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Palalau et al. in view of Matsui et al. and Berstis et al. Claims 22, 27-30, 51 and 54-66 were rejected under 35 U.S.C. §103(a) as being unpatentable over Palalau et al. in view of Matsui et al. and Matsumoto.

The Examiner's rejections of claims 1-6, 8-18, 21, 22, 27-30, 51, 54-66 and 71 are respectfully traversed on the grounds that none of the cited prior art references disclose, teach or suggest correlation means as now set forth in independent claims 1 and 51. Claims 1 and 51 recite correlation means for correlating a location on a touch pad which has been touched by the occupant to the image to enable the occupant to direct another vehicular system to perform an operation by touching the touch pad. The correlation means are coupled to forming means and cause the forming means to display an indicator in the image which correlates to the location on the touch pad touched by the occupant. The touch pad is arranged to enable the occupant to interact with the forming means to direct the vehicular system to perform an operation.

In the invention, touching the touch pad enables the occupant to control a vehicular system in the vehicle. In order to ensure that the occupant changes and controls the specific vehicular system they want to control (and not another adjacent control), an indicator is displayed in the image at a location which corresponds to the location of the touch by the occupant's finger on the touch pad. Thus, the occupant can visualize a representation of their finger and either continue pressing to control the vehicular system (e.g., exert a higher force to validate the desire to control the indicated function) or move their finger to the "correct" location on the touch pad.

Matsui et al. describes an image displaying apparatus which is used for projected presentations and correlates the location on a touch screen panel to a location on an image panel. The touch screen panel is segmented

into discrete blocks and the image screen shows a pointer at a block corresponding to the location of the segmented block being touched in the touch screen panel.

In contrast to the invention, Matsui et al. does not disclose, teach or suggest a touch pad which interacts with an image forming device to enable control of vehicular systems. Matsui et al. is designed solely for use in presentations to display a pointer on an image based on the position of a pointing device on a touch screen. There is no mention of any vehicular application or even using the touch on the touch screen panel to perform an operation, in particular one relating to a vehicle.

Palalau et al. does not disclose, teach or suggest correlation means which correlate a location on a touch pad to a location in a projected image to enable touches of the touch pad to control vehicular systems. In Palalau et al. the touch pad itself contains indicia of the function being performed (which requires the driver to view the touch pad) while the projected image shows only the results of the function. As such, Palalau et al. does not provide for any correlation between the touch pad and the projected image.

Moreover, there is no motivation, suggestion or incentive to modify the system of Palalau et al., to provide for correlation between the location on the touch pad being touched and the projected image since the projected image merely displays the results of the touching of an indicated area on the touch pad by the user. That is, each area of the touch pad contains an indicia of what happens when that area is touched (col. 3, lines 61-66) and the image display changes as a result of touching each area. Correlation between the touched area and the image is not required, i.e., the parameter being changed may be located on the left of the image while the touched area is on the right of the touch screen. Indeed, the touch screen is vertically oriented in an arcuate configuration while the image is rectangular so obviously there is no need for correlation between the location on the touch pad and the projected image. By contrast, in the invention such correlation is needed since indicia on the touch pad may not be present and instead the indicia is contained in the image.

Accordingly, one skilled in the art would not be motivated to modify the system of Palalau et al. to provide for correlation between a touched location on a touch pad and a projected image since there is no need for such correlation in the Palalau et al. system.

Berstis et al., Schiffman et al. and Matsumoto also do not disclose correlation means as set forth in claims 1 and 51.

Since the prior art does not disclose correlation means as set forth in claims 1 and 51 and does not provide any teaching, suggestion or motivation to modify Palalau et al to include such correlation means, one skilled in the art could not modify the Palalau et al. system in view of any of the cited prior art in order to arrive at the embodiments of the invention set forth in independent claims 1 and 51 or the embodiments set forth in claims dependent therefrom.

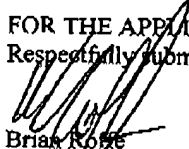
In view of the amendments to independent claims 1 and 51 and the arguments presented above, it is respectfully submitted that the Examiner's rejections of claims 1-6, 8-17, 21, 22, 27-30, 51, 54-66 and 71 have been overcome and should be removed and that the present application is now in condition for allowance.

Interview Request

The Examiner is respectfully requested to contact the undersigned to discuss this application in order to expedite an allowance.

An early and favorable action on the merits is earnestly solicited.

FOR THE APPLICANT  
Respectfully submitted,

  
Brian Roffe  
Reg. No. 35,336

Brian Roffe, Esq.  
11 Sunrise Plaza, Suite 303  
Valley Stream, New York 11580-6170  
Tel.: (516) 256-5636  
Fax: (516) 256-5638